

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NANOCO TECHNOLOGIES LTD.,

Plaintiff,

V.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG DISPLAY CO., LTD., and
SAMSUNG ELECTRONICS AMERICA,
INC.

Civil Action No. 2:20-cv-00038-JRG

JURY TRIAL DEMANDED

**PLAINTIFF NANOCO TECHNOLOGIES LTD.’S ANSWER TO
DEFENDANTS SAMSUNG ELECTRONICS CO., LTD.’S AND
SAMSUNG ELECTRONICS AMERICA, INC.’S COUNTERCLAIMS**

Plaintiff Nanoco Technologies Ltd. (“Nanoco” or “Plaintiff”) hereby answers Defendants Samsung Electronics Co., Ltd.’s and Samsung Electronics America, Inc.’s (collectively referred to as “Samsung”) counterclaims made in Samsung’s August 31, 2020 Answer and Counterclaims. Dkt. 21. Nanoco denies all allegations in Samsung’s counterclaims unless expressly admitted in the following paragraphs. Any admissions herein are for purposes of this matter only. Nanoco reserves the right to take further positions as a result of additional information discovered subsequent to the filing of this Answer.

THE PARTIES

1. Upon information and belief, Nanoco admits the allegations in paragraph 1 of Samsung's counterclaims.

2. Upon information and belief, Nanoco admits the allegations in paragraph 2 of Samsung's counterclaims.

3. Admitted.

JURISDICTION AND VENUE

4. Nanoco admits that it has filed a complaint alleging that Samsung infringes U.S. Patent Nos. 7,588,828 (“’828 patent”), 7,803,423 (“’423 patent”), 7,867,557 (“’557 patent”), 8,524,365 (“’365 patent”), and 9,680,068 (“’068 patent”) (collectively referred to as the “Asserted Patents”). The remaining allegations of paragraph 4 of Samsung’s counterclaims state conclusions of law to which no response is required. Further answering, Nanoco states that each of the Asserted Patents is valid and infringed by Samsung.

5. The allegations of paragraph 5 of Samsung’s counterclaims state a conclusion of law to which no response is required. Nanoco does not dispute that it is subject to personal jurisdiction in this Court for purposes of this lawsuit.

6. The allegations of paragraph 6 of Samsung’s counterclaims state a conclusion of law to which no response is required. Nanoco does not dispute that venue is proper in this Court for this lawsuit.

FIRST COUNTERCLAIM
(DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF THE ’828 PATENT)

7. Nanoco repeats and incorporates by reference its response to paragraphs 1-6 above as if fully set forth herein.

8. Nanoco admits that in its complaint it alleges that Samsung infringes the ’828 patent.

9. Denied.

10. The allegations of paragraph 10 of Samsung’s counterclaims state a conclusion of law to which no response is required.

11. The allegations of paragraph 11 of Samsung's counterclaims comprise a statement of relief Samsung is seeking to which no response is required.

12. Denied.

SECOND COUNTERCLAIM
(DECLARATORY JUDGMENT OF PATENT INVALIDITY OF THE '828 PATENT)

13. Nanoco repeats and incorporates by reference its response to paragraphs 1-12 above as if fully set forth herein.

14. Denied.

15. The allegations of paragraph 15 of Samsung's counterclaims state a conclusion of law to which no response is required.

16. The allegations of paragraph 16 of Samsung's counterclaims comprise a statement of relief Samsung is seeking to which no response is required.

17. Denied.

THIRD COUNTERCLAIM
(DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF THE '423 PATENT)

18. Nanoco repeats and incorporates by reference its response to paragraphs 1-17 above as if fully set forth herein.

19. Nanoco admits that in its complaint it alleges that Samsung infringes the '423 patent.

20. Denied.

21. The allegations of paragraph 21 of Samsung's counterclaims state a conclusion of law to which no response is required.

22. The allegations of paragraph 22 of Samsung's counterclaims comprise a statement of relief Samsung is seeking to which no response is required.

23. Denied.

FOURTH COUNTERCLAIM
(DECLARATORY JUDGMENT OF PATENT INVALIDITY OF THE '423 PATENT)

24. Nanoco repeats and incorporates by reference its response to paragraphs 1-23 above as if fully set forth herein.

25. Denied.

26. The allegations of paragraph 26 of Samsung's counterclaims state a conclusion of law to which no response is required.

27. The allegations of paragraph 27 of Samsung's counterclaims comprise a statement of relief Samsung is seeking to which no response is required.

28. Denied.

FIFTH COUNTERCLAIM
(DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF THE '557 PATENT)

29. Nanoco repeats and incorporates by reference its response to paragraphs 1-28 above as if fully set forth herein.

30. Nanoco admits that in its complaint it alleges that Samsung infringes the '557 patent.

31. Denied.

32. The allegations of paragraph 32 of Samsung's counterclaims state a conclusion of law to which no response is required.

33. The allegations of paragraph 33 of Samsung's counterclaims comprise a statement of relief Samsung is seeking to which no response is required.

34. Denied.

SIXTH COUNTERCLAIM
(DECLARATORY JUDGMENT OF PATENT INVALIDITY OF THE '557 PATENT)

35. Nanoco repeats and incorporates by reference its response to paragraphs 1-34 above as if fully set forth herein.

36. Denied.

37. The allegations of paragraph 37 of Samsung's counterclaims state a conclusion of law to which no response is required.

38. The allegations of paragraph 38 of Samsung's counterclaims comprise a statement of relief Samsung is seeking to which no response is required.

39. Denied.

SEVENTH COUNTERCLAIM
(DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF THE '365 PATENT)

40. Nanoco repeats and incorporates by reference its response to paragraphs 1-39 above as if fully set forth herein.

41. Nanoco admits that in its complaint it alleges that Samsung infringes the '365 patent.

42. Denied.

43. The allegations of paragraph 43 of Samsung's counterclaims state a conclusion of law to which no response is required.

44. The allegations of paragraph 44 of Samsung's counterclaims comprise a statement of relief Samsung is seeking to which no response is required.

45. Denied.

EIGHTH COUNTERCLAIM
(DECLARATORY JUDGMENT OF PATENT INVALIDITY OF THE '365 PATENT)

46. Nanoco repeats and incorporates by reference its response to paragraphs 1-45 above as if fully set forth herein.

47. Denied.

48. The allegations of paragraph 48 of Samsung's counterclaims state a conclusion of law to which no response is required.

49. The allegations of paragraph 49 of Samsung's counterclaims comprise a statement of relief Samsung is seeking to which no response is required.

50. Denied.

NINTH COUNTERCLAIM
(DECLARATORY JUDGMENT OF NON-INFRINGEMENT OF THE '068 PATENT)

51. Nanoco repeats and incorporates by reference its response to paragraphs 1-50 above as if fully set forth herein.

52. Nanoco admits that in its complaint it alleges that Samsung infringes the '068 patent.

53. Denied.

54. The allegations of paragraph 54 of Samsung's counterclaims state a conclusion of law to which no response is required.

55. The allegations of paragraph 55 of Samsung's counterclaims comprise a statement of relief Samsung is seeking to which no response is required.

56. Denied.

TENTH COUNTERCLAIM
(DECLARATORY JUDGMENT OF PATENT INVALIDITY OF THE '068 PATENT)

57. Nanoco repeats and incorporates by reference its response to paragraphs 1-56 above as if fully set forth herein.

58. Denied.

59. The allegations of paragraph 59 of Samsung's counterclaims state a conclusion of law to which no response is required.

60. The allegations of paragraph 60 of Samsung's counterclaims comprise a statement of relief Samsung is seeking to which no response is required.

61. Denied.

**RESERVATION OF RIGHTS TO ASSERT
ADDITIONAL DEFENSES OR COUNTERCLAIMS**

This section of Samsung's counterclaims comprises a reservation of rights and legal conclusions to which no responses are required. To the extent a response is required, Nanoco denies the allegations in this paragraph.

DEMAND FOR TRIAL BY JURY

This section of Samsung's counterclaims comprises a demand for jury trial to which no response is required.

PRAYER FOR RELIEF

Nanoco denies that Samsung is entitled to any relief.

Dated: September 21, 2020

Respectfully submitted,

/s/ Michael C. Newman by permission Claire
Henry

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served on all parties
through the Court's CM/ECF system this 21st day of September, 2020.

/s/ Claire Henry